UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/RES/1096 (1997)
30 January 1997

RESOLUTION 1096 (1997)

Adopted by the Security Council at its 3735th meeting, on 30 January 1997

The Security Council,

Reaffirming all its relevant resolutions, in particular resolution 1065 (1996) of 12 July 1996, and recalling the statement of its President of 22 October 1996,

Having considered the report of the Secretary-General of 20 January 1997 (S/1997/47),

Acknowledging the efforts in support of the peace process of the Secretary-General and his Special Envoy, the Russian Federation as facilitator, and the group of Friends of the Secretary-General on Georgia as mentioned in the report,

Noting with deep concern the continued failure by the parties to resolve their differences due to the uncompromising position taken by the Abkhaz side, and underlining the necessity for the parties to intensify without delay their efforts, under the auspices of the United Nations and with the assistance of the Russian Federation as facilitator, to achieve an early and comprehensive political settlement of the conflict, including on the political status of Abkhazia within the State of Georgia, which fully respects the sovereignty and territorial integrity of Georgia,

Noting the opening of the United Nations Human Rights Office in Abkhazia, Georgia,

Reaffirming the necessity for the parties strictly to respect human rights, and expressing its support for the efforts of the Secretary-General to find ways to improve their observance as an integral part of the work towards a comprehensive political settlement,

Noting with concern recent frequent violations on both sides of the Moscow Agreement of 14 May 1994 on a Ceasefire and Separation of Forces (S/1994/583,

annex I) (the Moscow Agreement), as well as acts of violence organized by armed groups operating from south of the Inguri River and beyond the control of the Government of Georgia,

Commending the contribution that the United Nations Observer Mission in Georgia (UNOMIG) and the Collective Peacekeeping Forces of the Commonwealth of Independent States (CIS peacekeeping force) have made to stabilize the situation in the zone of conflict, noting that the cooperation between UNOMIG and the CIS peacekeeping force has developed considerably, and stressing the importance of continued close cooperation and coordination between them in the performance of their respective mandates,

Deeply concerned at the continued deterioration of the security conditions in the Gali region, with an increase of acts of violence by armed groups, and indiscriminate laying of mines, including new types of mines, and deeply concerned also at the continued deterioration of the safety and security of the local populations, of the refugees and displaced persons returning to the region and of the personnel of UNOMIG and of the CIS peacekeeping force,

Reminding the parties that the ability of the international community to assist them depends on their political will to resolve the conflict through dialogue and mutual accommodation, as well as their full cooperation with UNOMIG and the CIS peacekeeping force, including the fulfilment of their obligations regarding the safety and freedom of movement of international personnel,

Taking note of the decision taken by the Council of Heads of State of the CIS of 17 October 1996 (S/1996/874, annex) to expand the mandate of the CIS peacekeeping force in the conflict zone in Abkhazia, Georgia, and to extend it until 31 January 1997,

1. Welcomes the report of the Secretary-General of 20 January 1997;

2. Reiterates its deep concern at the continued deadlock in achieving a comprehensive settlement of the conflict in Abkhazia, Georgia;

3. Reaffirms its commitment to the sovereignty and territorial integrity of Georgia, within its internationally recognized borders, and to the necessity of defining the status of Abkhazia in strict accordance with these principles, and underlines the unacceptability of any action by the Abkhaz leadership in contravention of these principles, in particular the holding on 23 November 1996 and 7 December 1996 of illegitimate and self-styled parliamentary elections in Abkhazia, Georgia;

4. Reaffirms its full support for an active role for the United Nations in the peace process, welcomes the efforts of the Secretary-General and his Special Envoy aimed at achieving a comprehensive political settlement of the conflict, including on the political status of Abkhazia within the State of Georgia, respecting fully the sovereignty and territorial integrity of Georgia, as well as for the efforts that are being undertaken by the Russian Federation in its capacity as facilitator to continue to intensify the search for a peaceful settlement of the conflict, and encourages the Secretary-General to continue his efforts to that end, with the assistance of the Russian Federation

as facilitator, and with the support of the Organization for Security and Cooperation in Europe (OSCE);

5. Welcomes in this context the initiative of the Secretary-General as outlined in his report to strengthen the role of the United Nations in the peace process;

6. Calls upon the parties, in particular the Abkhaz side, to achieve substantive progress without further delay towards a comprehensive political settlement, and further calls upon them to cooperate fully with the efforts undertaken by the Secretary-General, with the assistance of the Russian Federation as facilitator;

7. Welcomes the renewal of direct dialogue at high level between the parties, calls upon them to intensify the search for a peaceful solution by further expanding their contacts, and requests the Secretary-General to make available all appropriate support if so requested by the parties;

8. Reaffirms the right of all refugees and displaced persons affected by the conflict to return to their homes in secure conditions in accordance with international law and as set out in the Quadripartite Agreement of 4 April 1994 on voluntary return of refugees and displaced persons (S/1994/397, annex II), condemns the continued obstruction of that return, and stresses the unacceptability of any linkage of the return of refugees and displaced persons with the question of the political status of Abkhazia, Georgia;

9. Recalls the conclusions of the Lisbon summit of the OSCE (S/1997/57, annex) regarding the situation in Abkhazia, Georgia, and reaffirms the unacceptability of the demographic changes resulting from the conflict;

10. Reiterates its condemnation of killings, particularly those ethnically motivated, and other ethnically related acts of violence;

11. Reiterates its demand that the Abkhaz side accelerate significantly the process of voluntary return of refugees and displaced persons without delay or preconditions, in particular by accepting a timetable on the basis of that proposed by the Office of the United Nations High Commissioner for Refugees (UNHCR), and further demands that it guarantee the safety of spontaneous returnees already in the area and regularize their status in cooperation with UNHCR and in accordance with the Quadripartite Agreement, in particular in the Gali region;

12. Welcomes in this context the holding of the meeting on 23 and 24 December 1996 in Gali on the resumption of the orderly repatriation of refugees and displaced persons, in particular to the Gali region, and calls upon the parties to continue these negotiations;

13. Calls upon the parties to ensure the full implementation of the Moscow Agreement;

14. Condemns the continued laying of mines, including new types of mines, in the Gali region, which has already caused several deaths and injuries among

the civilian population and the peacekeepers and observers of the international community, and calls upon the parties to take all measures in their power to prevent mine-laying and intensified activities by armed groups and to cooperate fully with UNOMIG and the CIS peacekeeping force in order to honour their commitments to ensure the safety and the freedom of movement of all personnel of the United Nations, the CIS peacekeeping force and international humanitarian organizations;

15. Urges the Secretary-General to take the necessary steps in response to the threat posed by the laying of mines in order to improve security conditions so as to minimize the danger to UNOMIG personnel and to create conditions for the effective performance of its mandate;

16. Decides to extend the mandate of UNOMIG for a new period terminating on 31 July 1997 subject to a review by the Council of the mandate of UNOMIG in the event of any changes that may be made in the mandate of the CIS peacekeeping force;

17. Expresses its full support for the implementation of a concrete programme for the protection and promotion of human rights in Abkhazia, Georgia, notes in this context the opening on 10 December 1996 of the Human Rights Office in Abkhazia, Georgia, as part of UNOMIG, under the authority of the Head of Mission of UNOMIG, and requests the Secretary-General to continue to pursue the necessary follow-up arrangements with the OSCE and to continue close cooperation with the Government of Georgia;

18. Reiterates its encouragement to States to contribute to the voluntary fund in support of the implementation of the Moscow Agreement and/or for humanitarian aspects including demining, as specified by donors;

19. Requests the Secretary-General to consider the means of providing technical and financial assistance aimed at the reconstruction of the economy of Abkhazia, Georgia, following the successful outcome of the political negotiations;

20. Requests the Secretary-General to continue to keep the Council regularly informed, and to report after three months from the date of the adoption of this resolution on the situation in Abkhazia, Georgia, including on the operations of UNOMIG and to provide recommendations in that report on the nature of the United Nations presence, and, in this context, expresses its intention to conduct a thorough review of the operation at the end of its current mandate;

21. Decides to remain actively seized of the matter.